

United States Congress

WASHINGTON, DC

January 24, 2021

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

As your Administration carries out the Build Back Better Plan and the National Strategy for the COVID-19 Response and Pandemic Preparedness to turn around the nation's effort to defeat COVID-19, we write regarding federal contracts for the purchase of personal protective equipment (PPE) and the need for strong domestic supply chains. We urge you to prioritize purchasing fully made in America PPE to ensure our frontline workers have products that meet the strong performance requirements needed to effectively carryout their critical responsibilities.

We have four immediate priority requests for your consideration for both Executive Order implementation and legislative efforts:

- 1) prioritize purchase of fully made in America PPE "Berry compliant" to help continue bolstering the U.S. supply chain regardless of purchasing agency;
- 2) issue long-term contracts directly to domestic manufacturers when possible to help bolster the domestic supply chains;
- 3) adopt a contracting purchase methodology that uses "Best Value" criteria versus "Lowest Price Technically Acceptable" criteria; and
- 4) designate a point person in charge of coordinating the government's efforts to procure PPE and other medical equipment who is responsible for meeting regularly with key domestic manufacturing stakeholders.

The U.S. textile industry employs nearly 600,000 workers who form the backbone of our domestic supply chains. North Carolina, with a rich history of textile manufacturing, is home to manufacturers who have long experience in providing medical-grade materials and stand ready to produce and supply high-quality PPE to meet America's ongoing fight against COVID-19. Likewise, Ohio manufacturers, supported by the state's research and medical institutions, have joined together to form the Ohio Manufacturing Alliance to Fight COVID-19 and stepped up to drive innovation to develop advanced PPE solutions for our frontline workers, first responders, and the general public.

This industry retooled production chains in the spring to respond to the crisis as international supply chains broke down. Domestic production capabilities for essential products like isolation gowns, N95 masks, testing swabs and other critical products have grown exponentially since the beginning of the crisis. However, regrettably, we have too many manufacturers in our states and across the nation that have capacity but no orders to supply. With so many capable domestic manufacturers making quality product, the U.S. textile and nonwovens industries are eager to work to ensure you are getting the quality product you need when you need it.

We strongly support Berry amendment domestic procurement language that prioritizes the use of federal taxpayer dollars for the purchase of domestically made PPE that meets high quality standards from established, proven, and vetted suppliers. We also encourage the government to purchase both reusable and disposable products in order to bolster sustainable supply chains. Without a strong demand signal by the government for domestic manufacturing, we fear these supply chains will continue to be susceptible to offshoring. Further, we strongly support issuing long-term contracts to manufacturers when possible, grants to further support this essential manufacturing production chain and its workforce, and other incentives to help the purchase of these products in the private marketplace.

To ensure the reliability of supplies, quality and durability of products, and compliance with reasonable domestic procurement requirements, we strongly urge all future federal contracts purchase Berry-compliant, USA-made product and use contracting criteria based on “Best Value” vs “Lowest Price Technically Acceptable”. “Best Value” contracting criteria must take into account quality and price, past performance and financial capabilities of awardees, and other critical criteria to ensure our health care workers are getting quality PPE that will perform on the job. These combined factors are more important than just price alone. A shift to “Best Value” that has this type of criteria around quality, safety, and durability standards, along with criteria about awardees capabilities and relevant past performance coupled with strong pre-award vetting procedures is necessary to protect essential workers, whereas the “Lowest Price Technically Acceptable” standard uses price as the predominant factor in making awards. Regrettably, a key reason this part of the industry was offshored pre-COVID was because price was the predominant factor in purchasing. We must not compromise the health of our frontline medical workers by making purchases based mainly on lowest cost. Instead, procurement of critical PPE should be based on a variety of criteria to ensure that price and quality and performance are an inherent part of contracting standards. We also encourage you to make awards directly to quality manufacturers so that there is a seamless communication between the government and those manufacturing these essential products.

Finally, we request the White House designate a point person in charge of coordinating the government’s efforts among all relevant federal agencies to procure PPE and other essential equipment and to secure the necessary domestic supply chains to meet this critical task. Knowledge of current supply chain capabilities, including the specifications of the goods to be procured and existing American producers, is essential. This individual should serve as a liaison to the U.S. textile industry and work closely with manufacturers to ensure the collective industry has proper guidance and cooperation in order to provide the necessary products to help in this COVID-19 effort, and communicate anticipated needs for the Strategic National Stockpile regularly with stakeholders.

Thank you for your commitment to investing in critical domestic supply chains that balance the urgent demands of the pandemic while encouraging a robust domestic PPE industry. We also congratulate you on your inauguration and thank you for your attention to this critical matter.

Sincerely,



Sherrod Brown
United States Senator



Kathy Manning
United States Representative